

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MARK E. NOENNIG**, on February 10, 2005
at 3:30 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Mark E. Noennig, Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Wayne Stahl, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Debby Barrett (R)
Rep. Margaret H. Campbell (D)
Rep. Sue Dickenson (D)
Rep. Emelie Eaton (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Rick Maedje (R)
Rep. Dave McAlpin (D)
Rep. Tom McGillvray (R)
Rep. Bernie Olson (R)

Members Excused:

Rep. Mary Caferro (D)
Rep. Christopher Harris (D)

Members Absent: None.

Staff Present: Susan Fox, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 454, 2/2/2005; HB 474, 2/2/2005;
HB 498, 2/2/2005

Executive Action: HB 342, HB 359, HB 365, HB 431, HB
436

HEARING ON HB 454

Opening Statement by Sponsor:

REP. JIM PETERSON (R), HD 30, opened the hearing on HB 454,
Nonresident voting in road levy elections.
00:01:16

Proponents' Testimony:

00:04:21 Lee Iverson, Petroleum County Commissioner
00:06:01 Gordon Morris, Montana Association of Counties
[EXHIBIT\(loh33a01\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:16

Closing by Sponsor:

00:24:17

HEARING ON HB 474

Opening Statement by Sponsor:

REP. ROSALIE (ROSIE) BUZZAS (D), HD 93, opened the hearing on HB
474, Revise county legal notice requirements.
00:29:37

Proponents' Testimony:

00:31:02 Gordon Morris, Montana Association of Counties
[EXHIBIT\(loh33a02\)](#)
00:32:34 Linda Stoll, Missoula County
00:33:21 Matt Gibson, Publisher Missoula Independent
[EXHIBIT\(loh33a03\)](#)

Opponents' Testimony:

00:39:44 John Shontz, Lee Enterprises

[EXHIBIT\(loh33a04\)](#)

00:53:34 Jim Fall, Montana Newspaper Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:57:48

Closing by Sponsor:

01:24:00

HEARING ON HB 498

Opening Statement by Sponsor:

REP. VERONICA SMALL-EASTMAN (D) , HD 42, opened the hearing on HB 498, Restrict vehicle brake noise.

01:29:55

[EXHIBIT\(loh33a05\)](#)

Proponents' Testimony:

01:32:47 Bill Kennedy, Yellowstone County Commissioner

Opponents' Testimony:

01:34:33 Jason Todhunter, Montana Logging Association

01:36:07 Gary Forrester, Montana Motor Carriers Association

Informational Testimony:

01:37:53 John Blacker, Department of Transportation

Questions from Committee Members and Responses:

01:39:51

Closing by Sponsor:

01:47:38

REP. CAFERRO entered the room

EXECUTIVE ACTION ON HB 342

Motion: REP. JOPEK moved that HB 342 DO PASS.

Discussion:

02:03:33

Motion: REP. JOPEK moved that HB 342 BE AMENDED.

Discussion:

02:13:27

Vote: Motion carried 16-2 by voice vote with REPS. MACLAREN and MAEDJE voting no. REP. HARRIS voted by proxy.

Motion: REP. MAEDJE moved that HB 342 DO PASS AS AMENDED.

Discussion:

02:17:32

Vote: Motion failed 1-17 by voice vote with REP. MAEDJE voting aye. REP. HARRIS voted by proxy.

Motion/Vote: REP. HENRY moved that HB 342 BE TABLED AND THE VOTE REVERSED. Motion carried 17-1 by voice vote with REP. MAEDJE voting no. REP. HARRIS voted by proxy.

EXECUTIVE ACTION ON HB 359

Motion: REP. JOPEK moved that HB 359 DO PASS.

Discussion:

02:25:44

Motion: REP. JOPEK moved that HB 359 BE AMENDED.

Discussion:

02:26:14

[EXHIBIT](#)(loh33a06)

Vote: Motion carried unanimously by voice vote. REP. HARRIS voted by proxy.

Motion: REP. JOPEK moved that HB 359 DO PASS AS AMENDED.

Discussion:

02:31:10

Vote: Motion carried 14-4 by roll call vote with REPS. BARRETT, HENDRICK, OLSON, and STAHL voting no. REP. HARRIS voted by proxy.

EXECUTIVE ACTION ON HB 365

Motion: REP. MAEDJE moved that HB 365 DO PASS.

Motion: REP. MAEDJE moved that HB 365 BE AMENDED.

Discussion:

02:47:11

[EXHIBIT](#)(loh33a07)

Vote: Motion carried unanimously by voice vote. REP. HARRIS voted by proxy.

Motion: REP. MAEDJE moved that HB 365 DO PASS AS AMENDED.

Motion: REP. MAEDJE moved that HB 365 BE FURTHER AMENDED.

Discussion:

02:54:24

[EXHIBIT](#)(loh33a08)

Vote: Motion carried unanimously by voice vote. REP. HARRIS voted by proxy.

Motion: REP. MAEDJE moved that HB 365 DO PASS AS AMENDED.

Discussion:

03:01:11

Substitute Motion/Vote: REP. EATON moved that HB 365 BE TABLED. Motion failed 2-16 by roll call vote with REPS. DICKENSON and EATON voting aye. REP. HARRIS voted by proxy.

Vote: Original Motion to DO PASS AS AMENDED carried 10-8 by roll call vote with REPS. CAFERRO, CAMPBELL, DICKENSON, EATON, HARRIS, JOPEK, MCALPIN, and OLSON voting no. REP. HARRIS voted by proxy.

EXECUTIVE ACTION ON HB 431

Motion: REP. JOPEK moved that HB 431 DO PASS.

Motion: REP. JACOBSON moved that HB 431 BE AMENDED.

Discussion:

03:21:24

[EXHIBIT](#)(loh33a09)

Vote: Motion carried unanimously by voice vote. REP. HARRIS voted by proxy.

Motion: REP. JOPEK moved that HB 431 DO PASS AS AMENDED.

Motion: REP. JOPEK moved that HB 431 BE AMENDED.

Discussion:

03:23:32

[EXHIBIT](#)(loh33a10)

Vote: Motion carried unanimously by voice vote. REP. HARRIS voted by proxy.

Motion: REP. JOPEK moved that HB 431 DO PASS AS AMENDED.

Discussion:

03:25:23

Vote: Motion carried 12-6 by voice vote with REPS. CAMPBELL, JOPEK, MACLAREN, MCALPIN, MCGILLVRAY and OLSON voting no. REP. HARRIS voted by proxy.

EXECUTIVE ACTION ON HB 436

Motion: REP. HENDRICK moved that HB 436 DO PASS.

Motion: REP. HENDRICK moved that HB 436 BE AMENDED.

Discussion:

03:31:18

[EXHIBIT](#)(loh33a11)

Vote: Motion carried unanimously by voice vote. REP. HARRIS voted by proxy.

Motion: REP. HENDRICK moved that HB 436 DO PASS AS AMENDED.

Discussion:

03:37:21

Vote: Motion carried 11-7 by roll call vote with REPS. CAFERRO, DICKENSON, EATON, HARRIS, HENRY, JACOBSON, and JOPEK voting no. REP. HARRIS voted by proxy.

ADJOURNMENT

Adjournment: 7:20 P.M.

REP. MARK E. NOENNIG, Chairman

KYANNE KELLY, Secretary

MN/kk

Additional Exhibits:

EXHIBIT ([loh33aad0.TIF](#))